

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

(1) PATRICIA D. BACHHOFER, an)
Individual,)
)
Plaintiff,)
)
vs.)
)
(1) G. PAUL KULA, M.D., an)
Individual,)
)
Defendant.)

Case No. CIV-04-969-F

ANSWER

COMES NOW the defendant, G. Paul Kula, M.D., and for his answer to plaintiff's complaint, states:

1. Defendant has insufficient knowledge concerning the allegations in ¶ 1 of plaintiff's complaint.
2. Defendant admits that he previously practiced psychiatry in Carter County, Oklahoma, and that he presently resides in Texas, where he practices psychiatry. The remaining allegations in ¶ 2 of plaintiff's complaint are denied.
3. Defendant has insufficient information concerning the allegations in ¶ 3 of plaintiff's complaint and therefore denies such allegations.
4. Defendant denies the allegations in ¶¶ 4 - 20 in plaintiff's complaint.
5. Defendant denies all other allegations and claims in plaintiff's complaint which are not specifically admitted herein.

AFFIRMATIVE DEFENSES

1. Plaintiff's alleged damages, if any, were caused by the plaintiff's own acts, conduct and/or negligence.
2. Some or all of plaintiff's claims are barred by the applicable statute of limitations.
3. No negligence or other conduct by this defendant caused any injury or damage to plaintiff.
4. The psychiatric care and treatment provided by defendant to plaintiff was appropriate and within the standard of care.
5. Plaintiff's complaint fails to state claims upon which relief can be granted in favor of the plaintiff and against this defendant.
6. Defendant reserves the right to assert additional affirmative defenses as revealed in discovery.

WHEREFORE, the defendant, G. Paul Kula, M.D., requests that judgment be entered in his favor and against the plaintiff.

s/Michael S. McMillin

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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that on the 7th day of September, 2004, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following registrants:

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s/Michael S. McMillin